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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/870,538

05/30/2001

James K. Prueitt

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01/21/2005

POLAROID CORPORATION
PATENT DEPARTMENT
1265 MAIN STREET
WALTHAM, MA 02451

EXAMINER

AVELLINO, JOSEPH E

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 01/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/870,538	Applicant(s) PRUEITT ET AL.	
	Examiner Joseph E. Avellino	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) 38 and 39 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/09/03, 8/16/01</u> | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Claims 1-39 are pending in this examination; claims 1, 18, 31, 38, and 39 independent. The Office acknowledges the election without traverse Group I, claims 1-37. Therefore 1-37 are presented for examination and claims 38-39 are withdrawn as being drawn to a nonelected invention.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 35 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 35 recites being dependent upon itself. Correction is required. For examination purposes this claim will be understood to depend from claim 31.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

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the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-3, 5-7, 9, 11, 12, 17-24, 30-35, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klear et al. (WO 01/03040) (cited by Applicant in IDS) (hereinafter Klear) in view of Devarics (USPN 6,553,240).

7. Referring to claim 1, Klear discloses a method of providing a service (i.e. purchasing tickets to a movie) at a device and generating, at the location of said device a permanent record (i.e. bar-coded receipt) of said service, said service and said permanent record being process by at least one of a plurality of remote servers (Figure 5, ref. 26), said method comprising the steps of:

receiving at a receiving server, from the device a request for the service (i.e. request to purchase tickets to a movie) (p. 10, lines 28-30);

providing from the receiving center, data for the request to a service server, said service center being one of said at least one of a plurality of remote servers (p. 10, lines 28-30);

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processing the request for service at the service server, said processing generating the data for the service (i.e. generating a response acknowledging the purchase of the movie tickets) (p. 10, lines 28-34);

providing said data for the service to a printing server (i.e. the movie theater POS server), said printing server being one of the plurality of remote servers (pl. 10, lines 28-34);

processing, at the printing server, said data and other stored data to generate input data (i.e. barcoded ticket) for a specific printer (it is inherent that if an object is to be printed it must be formatted in a manner such that it can be read by the printer);

transmitting to said device said input data, said input being rendered by the specific printer at the location of said device as the permanent record (p. 10, lines 28-34).

Klear does not disclose that the device is a mobile device and that the input data transmitted to the mobile device is rendered by the specific printer at the location of the mobile device. In analogous art, Devarics discloses another method to print information off of the Internet which allows input data transmitted to the mobile device (i.e. WAP device 100) to be rendered by a specific printer 120 at the location of the mobile device (it is understood that infrared 110 is a proximal method of communication between devices and that the printer must be at the location of the WAP device 100) (Figure 1; col. 7, lines 29-44). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Devarics with Klear since Klear discloses the usage of purchasing movie tickets via a portable device stored on the

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portable device without needing a hard copy while the PC requires a printout copy of the bar code (p. 10, lines 19-32). This would lead one of ordinary skill in the art to search to combine these two methods eventually arriving at Devarics and its novel method of transferring WAP printing data to a wireless printer via an infrared link (Figure 1).

8. Claim 2 is rejected for similar reasons as stated above.

9. Referring to claim 3, Klear discloses completing a transaction at a transaction server, said transaction depending on the requested service, said transaction server being one of said at least one of a plurality of remote servers (p. 10, lines 28-32).

10. Referring to claim 5, Klear discloses sending a message confirming that the request for service has been fulfilled (p. 10, lines 28-32).

11. Referring to claim 6, Klear discloses processing the data for the service to generate input data to produce the optimal quality print for a specific printer (p. 10, lines 28-32).

12. Referring to claim 7, Klear discloses the receiving server is the service server (p. 10, lines 28-32).

13. Claim 9 is rejected for similar reasons as stated above.

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14. Referring to claim 11, Klear discloses the requested service is an event ticket (p. 10, lines 28-32).

15. Referring to claim 12, Klear discloses the requested service is a coupon (the Office takes the term coupon as a tangible entity which can be exchanged for goods or services, as in the printed bar code) (p. 10, lines 28-32).

16. Claims 17-24, 30-35, and 37, are rejected for similar reasons as stated above.

Claims 4, 8, 10, 13-15, 25-28, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klear in view of Devarics as stated in claims 1-3, 5-7, 9, 11, 17-22, 24, 30-35, and 37 above, and further in view of Fidler (USPN 6,725,051).

17. Referring to claim 4, Klear in view of Devarics discloses the invention substantively as described in claim 2. Klear in view of Devarics do not specifically disclose receiving at the receiving server data on the location of the mobile device, said data generated by means for determining the location of the device. In analogous art, Fidler discloses another location based service provider which discloses receiving at the receiving server data on the location of the mobile device, said data generated by means for determining the location of the device (col. 2, lines 3-14). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the

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teaching of Fidler with Klear and Devarics in order to allow the mobile device the ability to provide the location information rather than the user, which may be tedious or unknown to the user, which can also speed up the process since the computer can determine the location much quicker than the user can input it manually.

18. Claims 8, and 10, are rejected for similar reasons as stated above.

19. Referring to claim 13, Klear discloses the requested service is a location based service (i.e. a movie theater) (e.g. abstract).

20. Referring to claim 14, Klear in view of Devarics discloses the invention substantively as described in claim 2. Klear in view of Devarics do not specifically disclose the determining the location of the devices is a device-based method. Devarics discloses that the determining the location of the device is a device-based method (col. 2, lines 10-12). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Fidler with Klear and Devarics in order to allow the mobile device the ability to provide the location information rather than the user, which may be tedious or unknown to the user, which can also speed up the process since the computer can determine the location much quicker than the user can input it manually.

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21. Referring to claim 15, Klear in view of Devarics discloses the invention substantively as described in claim 2. Klear in view of Devarics do not specifically disclose the determining the location of the devices is a network-based method. Devarics discloses that the determining the location of the device is a network-based method (col. 7, lines 1-30). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Fidler with Klear and Devarics in order to allow the mobile device the ability to provide the location information rather than the user, which may be tedious or unknown to the user, which can also speed up the process since the computer can determine the location much quicker than the user can input it manually.

22. Claims 25-28, and 36 are rejected for similar reasons as stated above.

Claims 16, and 29 rejected under 35 U.S.C. 103(a) as being unpatentable over Klear in view of Devarics as stated in claims 1-3, 5-7, 9, 11, 17-22, 24, 30-35, and 37 above, and further in view of Nakashima (US 2002/0174205).

23. Referring to claim 16, Klear in view of Devarics discloses the invention substantively as described in claim 1. Klear in view of Devarics does not disclose the receiving center is a voice portal. In analogous art, Nakashima discloses another ticket vending machine wherein the receiving center is a voice portal (p. 2, ¶ 18). It would be obvious to a person of ordinary skill in the art at the time the invention was made to

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combine the teaching of Nakashima with Klear and Devarics to allow mobile devices without the ability to utilize the system using DTMF, thereby increasing the usability of the system and reducing the likelihood that a computer-illiterate person will accidentally purchase an unwanted ticket.

24. Claim 29 is rejected for similar reasons as stated above.

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

26. Ross et al. (USPN 5,859,628) discloses personal onboard information system

27. Ishizuka (US 2002/0065873) discloses printing from a wireless mobile device over the Internet.

28. Lai et al. (USPN 6,804,534) discloses communicating through a web page on a mobile phone.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-3905. The examiner can normally be reached on Monday-Friday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JEA
January 13, 2005



BUNJOB JAROENCHONWANT
PRIMARY EXAMINER